

Exhibit 10

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO, LLC,)
Plaintiffs,)
- vs -) Case No.
UBER TECHNOLOGIES, INC.,) 3:17-cv-00939
OTTOMOTTO LLC; OTTO)
TRUCKING, LLC,)
Defendants.)

VIDEOTAPED DEPOSITION OF JOHN BARES,
a witness, called by the Plaintiff for examination,
in accordance with the Federal Rules of Civil
Procedure, taken by and before Tammie Elias, RPR and
Notary Public in and for the Commonwealth of
Pennsylvania, at the office of Reed Smith, 225 Fifth
Avenue, Suite 1200, Pittsburgh, Pennsylvania, on
Friday, June 16, 2017, commencing at 9:05 a.m.

JOB No. 2640097

PAGES 1 - 317

1 ago from the period January 2016 to August 09:39a
2 18th of 2016, and that was a period that I was 09:39a
3 asked to pull. I pulled those and submitted 09:39a
4 those and then this Wednesday, Uber pulled 09:39a
5 everything from my phone, all texts and -- 09:39a
6 Q. So as of Wednesday, you handed over to Uber 09:39a
7 texts that predate January 2016? 09:39a
8 A. Every text on my phone, yes. 09:39a
9 Q. And you had texts on your phone that predated 09:39a
10 January 2016? 09:39a
11 A. As far as I know the way iPhone works is it 09:39a
12 never deletes anything. So all the way back 09:39a
13 to the first time I had an iPhone, which would 09:39a
14 have been 2013 or 2012 or something. 09:39a
15 Q. In your capacity as an Uber employee, do you 09:40a
16 use any instant messaging services? 09:40a
17 A. No. 09:40a
18 Q. You don't use Slack? 09:40a
19 A. Oh, I use Slack. I didn't think that as 09:40a
20 instant messaging. 09:40a
21 Q. I don't use it personally, so how would you 09:40a
22 characterize slack, what type of communication 09:40a
23 is that? Now you see why I called it instant 09:40a
24 messaging. 09:40a
25 A. Call it what you want. Let's use it by term. 09:40a

1 Q. Okay. So you have used Slack in your capacity 09:40a
2 as an Uber employee? 09:40a
3 A. Yes, I do. Yes. 09:40a
4 Q. Have you ever deleted a Slack message while 09:40a
5 you were an Uber employee? 09:40a
6 A. I don't think I know how, no. I thought they 09:40a
7 just went away. I mean the thread is always 09:40a
8 there. It's much like texts, if you open a 09:40a
9 thread with somebody, the message is all 09:41a
10 there. So, no, I have never deleted anything. 09:41a
11 Q. Other than e-mail, texting and Slack, have you 09:41a
12 used any other form of electronic 09:41a
13 communication in your capacity as an Uber 09:41a
14 employee? 09:41a
15 A. I have certainly used Zoom, it's a video 09:41a
16 conferencing, I have used that frequently. 09:41a
17 Once or twice used Google Chat thing, never 09:41a
18 with Anthony. Once or twice used the Google I 09:41a
19 don't even know if it's Google Chat Room or 09:41a
20 something for like one day. 09:41a
21 Q. Hangouts, is that what you mean? 09:41a
22 A. That's what it is, sorry. It was a -- so 09:41a
23 essentially, no. I'm not thinking of -- Slack 09:41a
24 is pretty common. I never used HipChat or any 09:41a
25 of those. I think Slack e-mail, text, and 09:42a